

U.S. DISTRICT COURT
FOR THE STATE OF VERMONT
COUNTY OF CHITTENDEN

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

RICHARD W. PROVOST
PLAINTIFF,

V,

OFFICER
OF THE WILLISTON,
VERMONT POLICE DEPT.
DEFENDANT.

2004 JUN 2 PM 12 38

CLERK

DEPUTY CLERK

COMPLAINT

Plaintiff is a resident of Shelburn VT.. Lives at 2854 Shelburn Rd. Shelburn Vt. Has lived there since October (3). Plaintiff was born in the State of Vermont and is a resident of this state and a United States citizen.

Defendant is a police officer and works out of the Williston, Vermont police dept.. This incident took place while the Defendant was on duty for that police dept..

THE Nature of this complaint is **severe negligence of safety: Serious injury or death could very much have occurred:**

On Friday May 21-04 in late afternoon perhaps about 5:30 P.M. Defendant stopped this Plaintiff at Brooks Drugs in Williston. Defendant then hand-cuffed this Plaintiff with hands behind his back and twisted, then put the Plaintiff in the back seat of a police car.

Defendant did not buckle the Plaintiff in with safety belts..

(Description of back seat of police car is as follows:)

A very narrow seat difficult to get in to with heavy steel mesh framed in by heavy angle iron that protrudes in to the back seat several inches. With an even heavier length of angle iron that protrudes further in to the back seat at the knees:

Then the Defendant drove at speeds of at least (50) and (60) miles an hour from Brooks Drugs To the Williston police dept. almost bottoming out on the curves and ruts and going heavy into on coming traffic. *The speed limit is (35) and (25)*

It didn't seem to bother the Defendant that there was considerable traffic in the on coming lane nor that people seemed to be looking at the Defendant in fear.

It also didn't seem to bother the Defendant that this Plaintiff was being badly bounced around and thrown around the back seat...

Obviously the Defendant had no reason to be going at that rate of speed the Defendant was only going to the police dept. to fingerprint this Plaintiff... There was no emergency...

Further this road is very curvy is somewhat populated and is traveled on by pedestrians

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and people on bicycles.

The Defendant had no lights or sirens on:

Plaintiffs note: I am a man of 54 years old. I have been working construction for the most part since I was 16 years old. (E.F. WALL, I.B.M., Burrcon, Russells, Pizzagallis to name a few.


SAFETY! Safety is our first rule. Always, ALWAYS safety first!

Plaintiff has had to take many safety classes working for these companies. Where the Plaintiff works now there is over a hundred people at this work site. We have safety meetings every week. We have all kinds of very dangerous equipment and material around us. We are reminded at every meeting that safety is not just wearing our hard hats and glasses. We are reminded that we are trained to recognize unsafe and dangerous situations. We are reminded that as professionals on the job and off the job and it is a cardinal sin to put ourselves or anyone in danger.

Plaintiff states he has never been put in to such a dangers life threatening situation that the Defendant put this Plaintiff in the late afternoon of May 21-04. In all the years this Plaintiff has been working a situation such as this has never happened...

Plaintiff of-course believes that there are laws that prevent this sort of extremely rash and dangerous situations from happening. If at all possible before the Defendant takes it upon his-self to believe that he can do these things and seriously injures or kills someone...

The Plaintiff go's further and states that there can not and should not be any legal immunity's. That the Court should hear this case as soon as possible. This do to the extreme danger the Defendant put everyone in.


Richard W. Provost
Plaintiff.

5-24-04
Dated: